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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/501,922	07/28/2004	Harald Karl Gretsch	W1.1941PCT-US	7495
7590	12/30/2005		EXAMINER	
Douglas R Hanscom Jones Tullar & Cooper Eads Station PO Box 2266 Arlington, VA 22202				DONDERO, WILLIAM E
		ART UNIT	PAPER NUMBER	3654
DATE MAILED: 12/30/2005				

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/501,922	GRETSCH ET AL.	
	<b>Examiner</b>	<b>Art Unit</b>	
	William E. Dondero	3654	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### **Status**

- 1) Responsive to communication(s) filed on \_\_\_\_\_.
- 2a) This action is **FINAL**.                            2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### **Disposition of Claims**

- 4) Claim(s) 33-125 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) Claim(s) \_\_\_\_\_ is/are allowed.
- 6) Claim(s) 33-125 is/are rejected.
- 7) Claim(s) 33 is/are objected to.
- 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### **Application Papers**

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on 28 July 2004 is/are: a) accepted or b) objected to by the Examiner.  
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### **Priority under 35 U.S.C. § 119**

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
 a) All    b) Some \* c) None of:
  1. Certified copies of the priority documents have been received.
  2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### **Attachment(s)**

- 1) Notice of References Cited (PTO-892)
- 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
 Paper No(s)/Mail Date 07/28/04.
- 4) Interview Summary (PTO-413)  
 Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) Notice of Informal Patent Application (PTO-152)
- 6) Other: \_\_\_\_\_.

## **DETAILED ACTION**

### ***Drawings***

The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the means for sensing a web tension affecting interference as in Claims 33, 34, 35, and 124 must be shown or the feature(s) canceled from the claim(s). No new matter should be entered.

The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they do not include the following reference sign(s) mentioned in the description: S0-1st and S1-1st on page 17, line 13. Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

### ***Specification***

The disclosure is objected to because of the following informalities: the "m" on page 21, line 1 should be - -  $\Delta t_m$  - -.

Appropriate correction is required.

***Claim Objections***

Claim 33 is objected to because of the following informalities: “affected” should be -- affecting -- in line 10 of the claim. Appropriate correction is required.

***Claim Rejections - 35 USC § 112***

The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

Claims 94-99 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention. There is lack of antecedent basis in the specification as to the definition of the limitation “measure values” and how the values are used to return the reference value.

Claims 112-123 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention. There is lack of antecedent basis in the specification as to the definition of the limitation “at least one sectionally defined chronological connection” and how the values are used to return the reference value.

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 94-99 and 112-123 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claims 94-99 recite the limitation "measure values" in line 1. There is insufficient antecedent basis for this limitation in the specification.

Claims 112-123 recites the limitation "at least one sectionally defined chronological connection" in line 2. There is insufficient antecedent basis for this limitation in the claim.

#### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 33-84, 88-90, 94-96, 100-102, 106-108, 112-114, 118-120, and 124-125 rejected under 35 U.S.C. 102(b) as being anticipated by Lewis et al. Regarding Claim 33, Lewis et al. disclose a method for regulating a tension of a web of material passing through a processing machine including providing a regulating device 80; using said regulating device for controlling the web tension; maintaining said web tension at an actual, existing reference variable; sensing a web tension affecting interference during processing of the web in the processing machine; providing a selected reference value for the web tension; providing a time based, predetermined function in response to the

sensed web tension affecting interference; supplying said predetermined function to the regulating device; and using the regulating device for selectively reducing the selected reference value at least temporarily below the existing reference value and returning the reference value to the actual existing reference value (Figure 1; Column 2, Lines 30-33 and Lines 39-51; Column 10, Lines 14-17 and Lines 29-30).

Regarding Claim 34, Lewis et al. disclose a method for regulating a tension of a web of material passing through a processing machine including providing a regulating device 80; using said regulating device for controlling the web tension; maintaining said web tension at an actual, existing reference variable; sensing a web tension affecting interference during processing of the web in the processing machine; providing a selected reference value for the web tension; using the regulating device for selectively reducing the selected reference value at least temporarily below the existing reference value; measuring tensions in the web; and using the regulating device for returning the selected reference variable using the measured values of the tension in the web (Figure 1; Column 2, Lines 30-33 and Lines 39-51; Column 10, Lines 14-17 and Lines 29-30).

Regarding Claim 35, Lewis et al. disclose a method for regulating a tension of a web of material passing through a processing machine including providing a reference variable of a tension of the web of material; sensing a web tension affecting interference during processing of the web in the processing machine; providing a time based, predetermined function in response to the sensed web tension affecting interference; and selectively changing and reducing the reference variable on the basis of the time

based function (Figure 1; Column 2, Lines 30-33 and Lines 39-51; Column 10, Lines 14-17 and Lines 29-30).

Regarding Claims 36-37 and 79-81, Lewis et al. disclose reducing the selected reference variable to a fixed value (Column 10, Lines 14-17).

Regarding Claims 38 and 39, Lewis et al. disclose reducing the selected reference variable a predetermined amount in respect to the actually existing reference variable (Column 2, Lines 30-33 and Lines 39-51; Column 10, Lines 14-17 and Lines 29-30).

Regarding Claims 40-45, Lewis et al. disclose providing a memory unit 92 and using the memory unit for storing at least one value of an amount of change of the reference variable and at least one correlation for determining a change of the reference variable. Lewis et al. disclose computer circuitry 92 which stores the current, high, and low tension values which are related through a correlation to give the amount of change from the current to the low value (Figure 2).

Regarding Claims 46-49, Lewis et al. disclose maintaining the reference value as the selected reference variable for a constant time interval until the delay circuit times out (Column 10, Lines 29-30).

Regarding Claims 49-51, Lewis et al. disclose reducing the reference variable in one step from the current value to the low value.

Regarding Claims 52-54, 100-102, and 106-108, Lewis et al. disclose reducing the reference variable discontinuously in the time interval with a discontinuity jump from the current value to the low value.

Regarding Claim 55, Lewis et al. disclose providing a regulating device 80 and using the regulating device for maintaining the web tension as the reference variable (Figure 2).

Regarding Claims 56-64 and 73-78 Lewis et al. disclose changing the reference variable during the interference, a roll change by connecting an old web and a new web before a last clamping point (defined by rollers 26 and 28) located before the first printing unit (Figure 1; Column 2, Lines 30-33 and Lines 39-51; Column 10, Lines 14-17 and Lines 29-30).

Regarding Claims 65-66, Lewis et al. disclose selecting the predetermined amount of counteracting an expected change in the web tension.

Regarding Claims 67-72, Lewis et al. disclose providing a first printing unit 26,28 in the processing machine and altering the reference variable of the web tension before, in a transport direction of the web, the first printing unit at the web draw-in unit as defined by rollers 18 and 20 (Figure 1).

Regarding Claims 82-84, Lewis et al. disclose returning the reference variable to the actual existing reference variable after the time interval.

Regarding Claims 88-90, Lewis et al. disclose using a time function (defined by a delay circuit) for returning the reference variable (Column 10, Lines 29-30).

Regarding Claims 94-96, Lewis et al. disclose using measured values, the current and minimum values, of the tension for returning the reference variable.

Regarding Claims 112-114 and 118-120, Lewis et al. disclose returning the reference variable continuously using at least one sectionally defined chronological connection in the middle section of the increase from the low to the reference variable.

Regarding Claim 124, Lewis et al. disclose a device for regulation of tension in a web material passing through a processing machine comprising a regulating device 80 adapted to maintain tension in a web at a reference variable; means 86 for sensing an actual existing reference variable of a tension in a web; means 272, 274, 280, 276, 252 for sensing a web tension varying interference in the web; means 92 for storing at least one correlation for determining a change in the reference variable in response to the sensing of the tension varying interference; and means for reducing said actual existing reference variable to the reference variable to counteract the interference (Figure 1; Column 2, Lines 30-33 and Lines 39-51; Column 10, Lines 14-17 and Lines 29-30).  
Regarding Claim 125, Lewis et al. further disclose the reference variable is reduced by a predetermined value with respect to the actually existing reference variable.

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 85-57, 91-93, 97-99, 103-105, 109-111, 115-117, and 121-123 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lewis et al. Regarding Claims 85, 86, and 87, Lewis et al. disclose a method for regulating a tension of a web

of material passing through a processing machine as discussed above in regards to Claims 79, 80, and 81, respectively. Lewis et al. are silent about returning said reference variable to a new constant reference variable from the actual existing reference variable after the time interval. It would have been obvious to one of ordinary skill in the art at the time the invention was made to return the reference variable to a new constant reference variable different from the actual existing reference variable after the time interval because the new roll of paper may be of a different type with different properties or the environment surrounding the machine may have changed causing the material properties to change.

Regarding Claims 91-93, Lewis et al. disclose using a time function (defined by a delay circuit) for returning the reference variable (Column 10, Lines 29-30).

Regarding Claims 97-99, Lewis et al. disclose using measured values, the current and minimum values, of the tension for returning the reference variable.

Regarding Claims 103-105 and 109-111, Lewis et al. disclose reducing the reference variable discontinuously in the time interval with a discontinuity jump from the current value to the low value.

Regarding Claims 115-117 and 121-123, Lewis et al. disclose returning the reference variable continuously using at least one sectionally defined chronological connection in the middle section of the increase from the low to the reference variable.

### ***Conclusion***

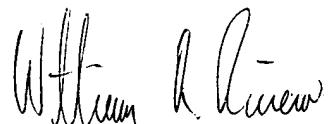
Any inquiry concerning this communication or earlier communications from the examiner should be directed to William E. Dondero whose telephone number is 571-

272-5590. The examiner can normally be reached on Monday through Friday 7:00 am to 4:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kathy Matecki can be reached on 571-272-6951. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

wed



WILLIAM A. RIVERA  
PRIMARY EXAMINER